

Serial No.: 09/318,353
Amendment Dated November 24, 2004
Reply to Office Action of October 10, 2004

REMARKS

Claims 13-16, 19, 20, 23, 26-28, 30 and 32-45 are pending. Claims 13-16, 19, 20, 23, 26-28, 41-43 and 45 are allowed. Claims 30 and 32-34 are rejected. Claims 35-40 and 44 are objected to.

Claims 30 and 32-34 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Pat. No. 5,512,343 to Shaw. As suggested by the Examiner, Claim 35 has been rewritten as Claim 33 in independent form including all the limitations of the original base Claim 33. Since Shaw fails to describe the patch layer and the adhesive layer removed from the form layer top surface with the one form portion attached to the adhesive layer bottom surface together comprise a fold-over card, it is respectfully submitted that Claim 33 is not anticipated by Shaw. Therefore, Applicant requests that the rejection of Claim 33 under 35 U.S.C. §102 (b) be withdrawn.

Claims 30, 32, and 34 depend from base Claim 33 and therefore, incorporate all of the subject matter of Claim 33. Because a dependant claim cannot be anticipated if the independent claim from which it depends is not anticipated, all other dependant claims of the present application must also be found unanticipated. Since it is submitted for the aforementioned reasons that Claim 33 is patentable over Shaw, it is likewise submitted that Claims 30, 32, and 34 are patentable over Shaw for the same reasons. Therefore, it is respectfully requested that the rejection of Claims 30, 32, and 34 be withdrawn.

Claims 35-40 and 44 are objected to as being dependent upon a rejected base claim. As mentioned above, Claim 35 has been cancelled and rewritten as Claim 33 in independent form

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including all the limitations of the original base Claim 33. Claims 36 and 37 have been amended to depend from Claim 33, in place of Claim 35, and therefore, incorporate all of the subject matter of Claim 33. Because a dependant claim cannot be anticipated if the independent claim from which it depends is not anticipated, all other dependant claims of the present application must also be found unanticipated. Since it is submitted for the aforementioned reasons that Claim 33 is patentable over Shaw, it is likewise submitted that Claims 36 and 37 are patentable over Shaw for the same reasons. Therefore, it is respectfully requested that the objection of Claims 36 and 37 be withdrawn.

Claims 38 and 39 are dependent from claim 33 and, therefore, incorporate all of the subject matter of Claim 33. Because a dependant claim cannot be anticipated if the independent claim from which it depends is not anticipated, all other dependant claims of the present application must also be found unanticipated. Since it is submitted for the aforementioned reasons that Claim 33 is patentable over Shaw, it is likewise submitted that Claims 38 and 39 are patentable over Shaw for the same reasons. Therefore, it is respectfully requested that the rejection of Claims 38 and 39 be withdrawn.

As suggested by the Examiner, Claim 40 has been rewritten in independent form including all the limitations of the original base Claim 33. Since none of the prior art references contain all of the claim limitations of Claim 40 as amended, as required by the MPEP, it is respectfully submitted that Claim 40 is patentable over the prior art references cited by Examiner. The MPEP states,

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“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987).

MPEP § 2131.

Therefore, Applicant requests that the objection to Claim 40 be withdrawn.

As suggested by examiner, Claim 44 has been rewritten in independent form including all the limitations of the original base Claim 33. Since none of the prior art references contain all of the claim limitations of Claim 44 as amended, as required by the MPEP, it is respectfully submitted that Claim 44 is patentable over the prior art references cited by Examiner. Therefore, Applicant requests that the objection to Claim 44 be withdrawn.

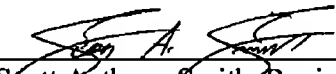
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Conclusion.

Applicant believes the above analysis and the amendments made herein overcome all of the Examiner's objections of Claims 35-40 and 44 and all of the Examiner's rejections of Claims 30 and 32-34 and that Claims 30, 32-34, 36-40 and 44 are in condition for allowance. None of the references of record, either independently or in combination, teach or suggest the claimed subject matter. Therefore, it is suggested that Claims 30, 32-34, 36-40 and 44 constitute allowable subject matter and should be favorably considered by the Examiner, and it is requested that a timely Notice of Allowance be issued for those Claims.

The Commissioner is hereby authorized to charge any additional fees or credit overpayment under 37 CFR 1.16 and 1.17 which may be required by this paper to Deposit Account 162201.

Respectfully submitted,



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